

CUSTOMER NO.: 24498
Serial No.: 09/716,722
Office Action dated: September 21, 2005
Response dated: December 13, 2005

PATENT
PF990077

REMARKS

Claims 1-20 are pending in this application with claims 1, 19, and 20 being amended.

Claim 19 has been amended to recite that "reading, from the recording medium, of additional data other than the scrambled data of the MPEG stream, having a time correspondence with the scrambled data". Support for this amendment can be found throughout the specification and specifically on page 5, lines 27-29.

Claim 20 has been amended to recite that "reading, from the recording medium, of scrambled data of the MPEG stream which are determined as a function of the said additional data", specifying that the data to be read is determined as a function of the specific data. Support for this amendment can be found throughout the specification and specifically on page 11, lines 34-35.

Rejection of Claims 19 and 20 under 35 USC § 102(b)

Claims 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Park (U.S. Patent No. 5,757,909).

Independent claim 19 describes a process for decoding a scrambled MPEG stream recorded on a recording medium, for implementing a special mode ("trick mode"). Scrambled data of the MPEG stream as well as additional data other than the scrambled data, having a time correspondence with the scrambled data and corresponding to information relating to the enciphering keys used for the scrambling, are read from the recording medium. The MPEG stream data is then descrambled and read as a function of the additional data read.

Park describes a method for preventing users from illegally viewing and copying in a digital video system by setting a descrambling method which decrypts split keystreams adopting a smart card. The method includes a determination step for determining received data having been scrambled, a reproduction step, a recording step,

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and a transporting step. Figure 14 in Park depicts the recording of the bitstream plus keystream $[S_{KS}(BS) + E^G(KS)]$. This stream is received from the copy protection processor where the stream is encrypted. The Office Action asserts that Park discloses the reading, from the recording medium, of data corresponding to information relating to the enciphering keys used for the scrambling in column 12, lines 55-65. What Park describes, however, is the reading of scrambled data from a first recording medium which is a conventional DVCR and the reading of additional data from a second recording medium which is a smart card. Thus Park neither disclose nor suggest "the reading, from the recording medium, of additional data other than the scrambled data of the MPEG stream" as disclosed in claim 19 of the present invention. The present claimed invention, unlike Park, uses the same recording medium.

The use of the same recording medium, a DVCR for example, in Park for the MPEG bitstream and the encrypted keys would not make sense. In Park, it would be necessary to first read the MPEG bitstream to extract the keys from the bitstream in order to encrypt these keys and store them on the recording medium. The link between the keys and the corresponding scrambled data in the bitstream would be lost and it would not be possible to use the stored keys to descramble the bitstream. Such a solution would not solve the problem of trick play mode, which provides easy access to relevant keys or relevant data relating to keys (relating to the images to be read according to the selected trick mode).

As described in the specification, the keys are not synchronized with respect to the images. The keys are available in advance in the bitstream, for example every 100ms (page 7, lines 20-26). The keys, however, are not available in advance when implementing a trick mode (page 7, lines 27-33). This problem is solved by the decoding process of the present claimed invention which uses additional data corresponding to these keys, data which are available without having to read the bitstream.

Thus, it is respectfully submitted that, in view of the above remarks and amendments to the claims, the present invention as claimed in claim 19 is not

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anticipated by Park. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Independent claim 20 describes a process for decoding a scrambled MPEG stream recorded on a recording medium, for implementing a special mode ("trick mode"). Additional data, other than the scrambled data of the MPEG stream, corresponding to information required by at least one function of the special mode or "trick mode" (fast forward, fast rewind, accelerated motion, slow motion, etc.) is read from the recording medium. Scrambled data of the MPEG stream which are determined as a function of the additional data is also read from the recording medium.

While Park mentions the use of trick modes in column 3, lines 31-38, without providing any information about implementation and the further encryption of keys extracted from the bitstream sent to a smart card and used for the descrambling of the bitstream, Park does neither disclose nor suggests the reading of specific (additional) data recorded on the same recording medium as one of the MPEG bitstream. Park also does not disclose the reading of data of the bitstream from the recording medium according to the read specific data when the trick mode is implemented. Thus, Park neither discloses nor suggests "reading, from the recording medium, of additional data, other than the scrambled data of the MPEG stream, corresponding to information required by at least one function of the special mode or "trick mode" (fast forward, fast rewind, accelerated motion, slow motion, etc.)", as related in claim 20 of the present invention. Selecting scrambled data to be read and deciphered are two separate and different processes. Being able to access the relevant data in the scrambled bitstream allows the efficient performance of trick modes. Park provides no suggestion for such additional data. In fact, if we assimilate the additional data to the encrypted keys of Park, it is noted that such keys would not allow access to select and read the relevant data from the recording medium.

Thus, it is respectfully submitted that, in view of the above remarks and amendments to the claims, the present invention as claimed in the claim 20 is not anticipated by Park. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

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In view of the above remarks and amendments to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Park showing the above discussed features. It is thus further respectfully submitted that claims 19 and 20 are not anticipated by Park. It is thus, further respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Please charge the \$790.00 fee for filing the RCE and any other applicable fees that may be associated with the filing of the enclosed documents to Deposit Account No. 07-0832.

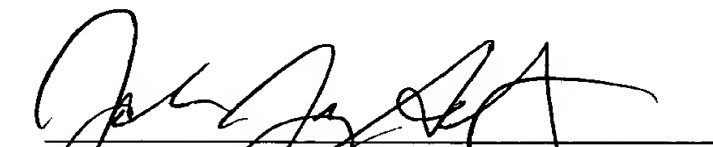
Respectfully submitted,
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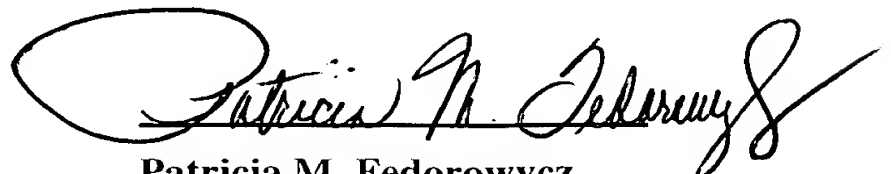
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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: December 13, 2005


Patricia M. Fedorowycz